

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Cr. No. 18-10468-NMG
)	
9. JOSEPH GREENE,)	
Defendant)	

GOVERNMENT’S SENTENCING MEMORANDUM

On May 8, 2019, JOSEPH GREENE (hereinafter “GREENE” or the “defendant”) pleaded guilty to conspiracy to distribute and to possess with intent to distribute cocaine and cocaine base, in violation of Title 21, United States Code, Section 846. In the final version of the Pre-Sentence Report (“PSR”), dated June 8, 2020, the United States Probation Office concluded that GREENE’s total offense level (“TOL”) was 13, his criminal history category (“CHC”) was I, and his guideline sentencing range (“GSR”) was 12-18 months in prison. PSR, ¶ 87. For reasons to be discussed in greater detail at GREENE’s sentencing hearing, currently scheduled for June 15, 2020, the government requests that the Court impose a sentence of time served to be followed by three years of supervised release.

In 2018, agents from Homeland Security Investigations (“HSI”), the Drug Enforcement Administration (“DEA”), the Massachusetts State Police, and the Brockton Police Department commenced an investigation into a Brockton-based, gang-involved drug trafficking organization led by Djuna Goncalves. During the investigation, agents used physical surveillance, surveillance from a stationary pole camera, location information from various cellular telephones, and a Title III wiretap to intercept wire and electronic communications from Djuna’s cellular telephone. The investigation revealed that Djuna worked with several other individuals to distribute

fentanyl, heroin, cocaine, cocaine base, and marijuana, often from Djuna's home at 12 Addison Avenue in Brockton.

In September 2018, agents received approval to intercept phone calls and text messages from Djuna's cellular telephone. In October 2018, GREENE was intercepted ordering crack and powder cocaine from Djuna. Agents also observed GREENE picking up powder and crack cocaine from Djuna at 12 Addison Avenue. See PSR, ¶¶ 14-19.

On October 21, 2018, Djuna narrowly survived an assassination attempt at his home, when an as-yet unidentified assailant fired several times into Djuna's bedroom. Agents obtained a search warrant for 12 Addison Avenue and seized fentanyl, cocaine, crack cocaine, presses, packaging materials, cash, a firearm, ammunition clips and ammunition, an AK-47 assault rifle, and Djuna's cellular phone that agents had been intercepting. In order to conclude the Brockton phase of the investigation and to minimize the possibility of retaliatory violence, the government charged ten individuals, including Djuna and GREENE, on November 1, 2018. Agents seized nine small plastic bags of heroin packaged for street level sale and 350 grams of marijuana from GREENE when he was arrested. PSR, ¶ 20.

After he entered his guilty plea, the Court authorized GREENE to enter the RISE program. The government's recommendation for a below-guideline sentence is based entirely on GREENE's successful completion of the program, as detailed by United States Probation in its final report to this Court dated June 8, 2020. While GREENE's offense was serious, his minimal criminal history and his performance in the program militate in favor of a time-served sentence

Wherefore, the government respectfully requests that the Court adopt the government's recommendation.

Respectfully submitted,

ANDREW E. LELLING
United States Attorney

By: /s/ Christopher Pohl
Christopher Pohl
Alathea Porter
Assistant U.S. Attorneys

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on June 11, 2020.

/s/ Christopher Pohl
Christopher Pohl
Assistant U.S. Attorney